

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

ROBERT P. BERG D/B/A
BOB BERG BUCKLES D/B/A
SILVERDALES,

Plaintiff,

V.

CIVIL ACTION NO. H-03-2683

JOANNE SYMONS D/B/A
HY O SILVER,

Et al.

Defendants.

AFFIDAVIT OF LINDA C. PARRISH

BEFORE ME, the undersigned authority, on this day personally appeared Linda C. Parrish, who known to me to be a credible person did depose and state as follows:

1. My name is Linda C. Parrish. I am over the age of 18 years and am fully competent to make this Affidavit in response to Plaintiff Robert P. Berg's Motion to Withdraw or Amend Deemed Admissions. I have never been convicted of a crime and I have personal knowledge of the facts set forth herein.

2. I am a partner in the law firm of Jackson & Walker, L.L.P., the law firm engaged by Robert Berg to represent him in a matter to be brought against Joanne Symons d/b/a My O Silver in the above-styled and numbered lawsuit. I am one of the partners who has had direct contact with Robert P. Berg.

3. Plaintiff's Motion states that the case went largely unprosecuted by former counsel over repeated attempts by Plaintiff to pursue its prosecution. This statement is incorrect. Mr. Berg throughout the prosecution of this case failed to cooperate with former counsel and

EXHIBIT B

failed to provide the necessary information and documentation to prosecute this matter even after numerous requests for additional information. Mr. Berg continuously failed to provide former counsel with documents and information requested in order to respond to discovery propounded by Defendant Symons.

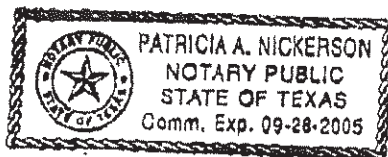
4. On August 4, 2004, former counsel for Mr. Berg received Defendant JoAnne Symons' First Requests for Admissions, Second Set of Document Requests and Second Set of Interrogatories propounded to Robert P. Berg. On August 5, 2004, former counsel forwarded to Mr. Berg Defendant JoAnne Symons' discovery requests, including requests for admissions 1-52. Former counsel advised Mr. Berg that responses to this discovery must be filed by Friday, September 3, 2004. Mr. Berg failed to provide counsel with written responses to any of the discovery requests, including the requests for admissions 1-52. The only documents former counsel received following their correspondence of August 5, 2004, were received on or about October 11, 2004 and were relevant to Mr. Berg's deposition.

5. Former counsel did not receive documents responsive to Defendant Symons' First Request for Production until October 13, 2004, the date on which the Court entertained Defendant Symons' Motion to Compel and Former Counsel's motion to withdraw.

FURTHER AFFIANT SATH NOT.


LINDA C. PARRISH

SWORN TO AND SUBSCRIBED BEFORE ME on the 17th day of November, 2004.




Notary in and for the State of Texas